



DUI Offender Survey Report – 2008

Prepared by

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Research & Consulting

for



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Introduction

After an arrest for driving under the influence (DUI), arrestees may be charged or convicted of a DUI, or plead to a lesser charge. For some arrestees, they are mandated to attend a DUI class as part of their sentence. The program provides counseling and education around the dangers of drinking and using substances while driving. Participants are asked to complete a survey during the course of their program. This survey, referred to as the Montana DUI Offender Survey, asks participants to share information about the circumstances of their DUI arrest such as where they were arrested, how many drinks they consumed the day of their arrest, and where they consumed their last drink. Programs across the state collect these data in different ways, and at different times throughout the DUI class (e.g., beginning, middle or end).

This type of survey is being used in various parts of the United States. Data from surveys of this type in other jurisdictions has been used to inform those interested in developing environmental prevention campaigns targeted at reducing drinking and driving, along with related issues such as binge and underage drinking. A survey was developed by the Institute for Public Strategies and first implemented in DUI classes across the state in January 2008. This report is a summary of the first year of data (January 2008 to December 2008) and is the first of its kind in the state of Montana.

Recommendations for Use

Data findings from this summary should be used as indicators to help identify areas that can be addressed through policy and program development. These data do not represent all DUI offenses that occurred as participants can elect to not participate in the survey. In addition, not all DUI classes consistently administer the surveys. Also, there may be many instances of drinking and driving that do not result in a DUI arrest, and aspects of these instances will not be captured by these data.

It is suggested that data from this report be used to initiate conversations at local and state levels about the issue of drinking and driving, and what policies and programs may be warranted to address problems identified in this report. As mentioned, other jurisdictions have used data from similar surveys to aid in the development of environmental prevention tactics. For example, in Ventura County, California, the Behavioral Health Department has developed a taskforce to focus on educating the owners and/or managers of bars, clubs and restaurants that are most commonly mentioned on the survey as the place of last drink. This item from the survey is used to focus the intervention and was selected because of the importance of the information. Someone at the place of last drink served a clearly intoxicated individual their last drink prior to their arrest. This item can help to explore how and why this occurred, and where prevention efforts may need to take place. The environmental prevention strategy devised by the department was to create an intervention to prevent such occurrences from happening again by offering education to alcohol outlet owners, bartenders, servers, and bouncers to recognize the signs of intoxication and use more responsible serving practices (e.g., measured shots versus free pour shots where the amount of liquor is typically greater than a serving). It is

expected that using these data will help to identify problem areas that may be addressed using similar or other environmental prevention approaches. Findings contained in this report can be used in similar ways for the counties and state of Montana.

Limitations of Data

Data have several limitations. First, the data are self-report and social desirability may influence participant responses. For example, if participants do not feel that the anonymity of their responses will be ensured, respondents may skip or report false information to look “less bad”. This ultimately renders their response invalid, though this kind of behavior cannot be detected by the evaluator and thus, all surveys are included in analyses. Second, the survey is completely voluntary and at this time, there is no tracking of who refused to complete the survey, so it is not possible to determine a response rate to know if responses are generalizable to the group of participants who received a DUI and were mandated to attend the DUI class. It is presumed that with a greater number of responses, evaluators can be more confident that responses are applicable to other similar groups, but it is still unclear whether the number is large enough to be representative of drivers who choose to do so while under the influence. Lastly, surveys are completed without supervision or assistance, and the quality of the data written on the survey is problematic. The survey is scanned by a computer which relies on clear handwriting in order to provide usable data. After reviewing data, it is evident that many participants are not careful to make sure letters or numbers are written properly to ensure accurate scanning. This impacts certain items of the survey far more than others (e.g., reported blood alcohol concentration). Though extensive cleaning of written responses was conducted, data that could not be corrected were excluded from analyses.

Additionally, county-level findings are not presented in this report due to the low number of respondents in certain counties. Data findings for these counties may not be meaningful until a larger sample size is obtained. It is expected that future reports will include county-level findings as the number of respondents increases over time.

Confidentiality of Data

Respondents report the location of their place of last drink when it is a bar, club or restaurant. At this time, these data are not reported to protect the privacy of the alcohol establishments. It is expected that as more data are collected over time, the most commonly mentioned outlets will be identified and shared with local jurisdictions that may choose to use such information to create policies or programs to address any problem behaviors that occur at these establishments. However, these data will only be released when there are at least 50 data points for the jurisdiction. A protocol has been developed for using this data in local jurisdictions and it will be provided to the agencies or individuals when they receive the data.

Overview of Findings

Characteristics of Respondents

In 2008, nearly 3,400 persons completed the DUI Offender Survey (N=3,388). Most respondents are male (74.0%) and are white (81.4%) (Figure 1). The next highest group of respondents, though still under 10%, are American Indian. The average age of respondents is 32.7. Most respondents are between the ages of 26 and 45 years old. Of note, 13.2% of respondents are under the legal drinking age of 21 (Figure 2).

Figure 1. Race/Ethnicity of Respondents

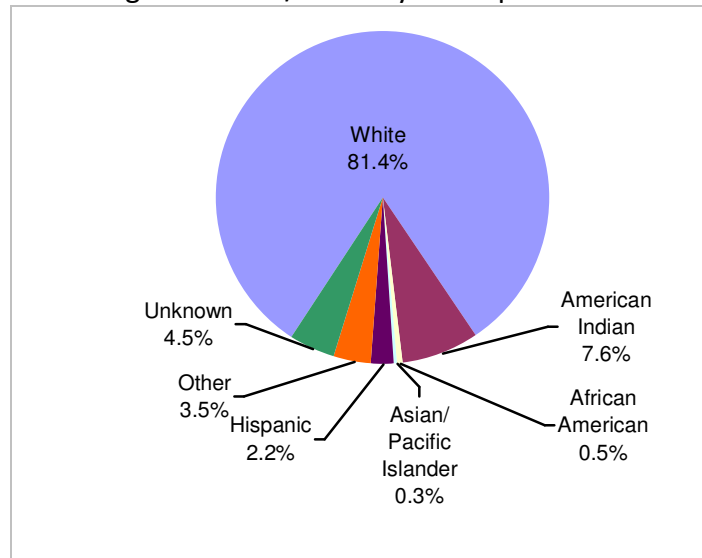
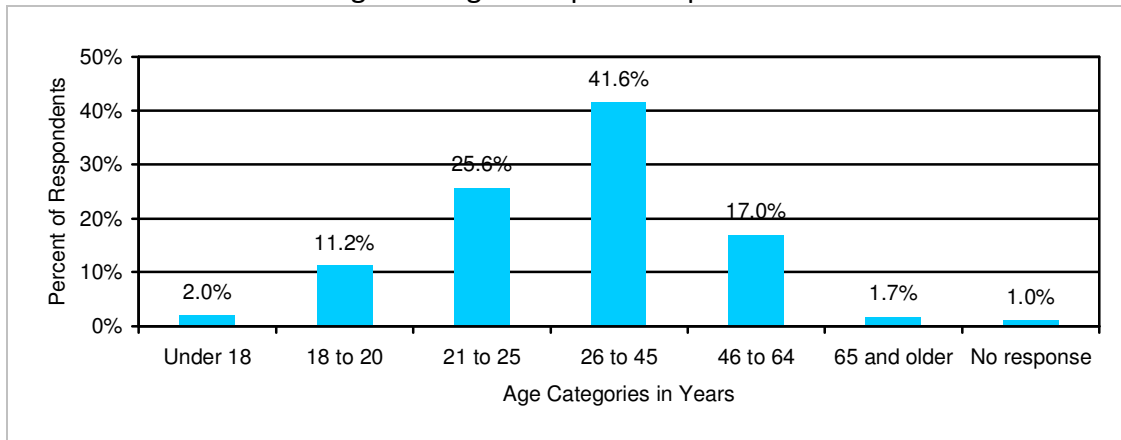


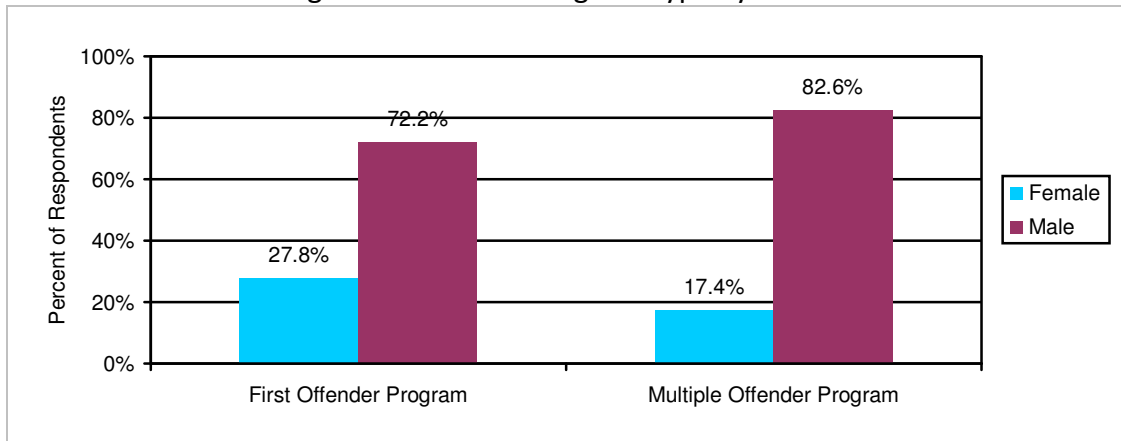
Figure 2. Age Groups of Respondents



There are two types of programs that DUI offenders participate in: the first and multiple offender programs. A majority of respondents are in the first offender program (76.2%). A greater proportion of males make up participants in the multiple offender program than

females (Figure 3). No differences were found in the distribution of race/ethnicity or in the average age of participants in the two types of offender programs.

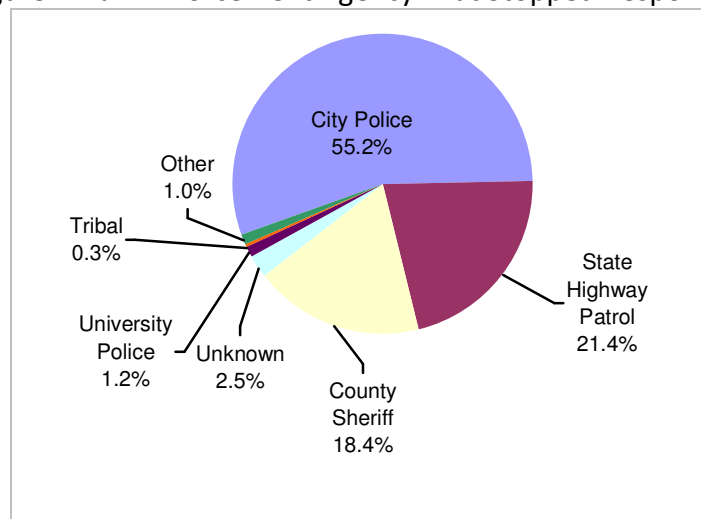
Figure 3. Offender Program Type by Gender



Highlighted Findings

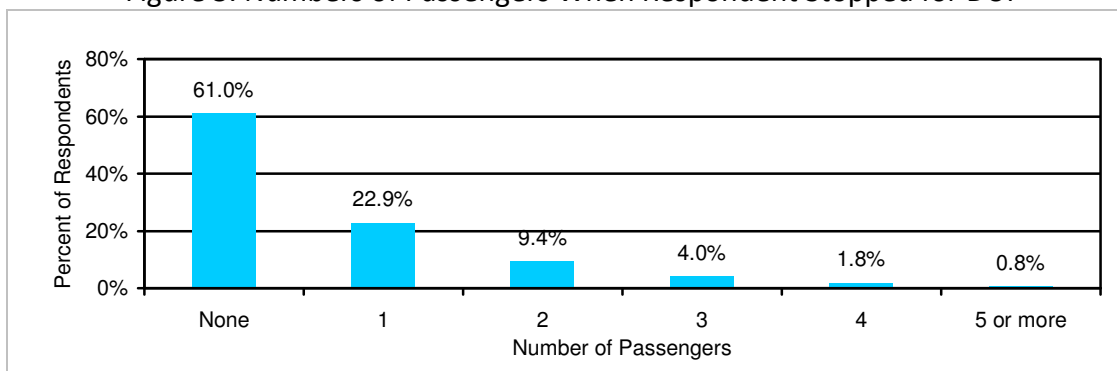
This survey can help to describe the more common circumstances around drinking and driving. Contextual factors were explored to examine aspects of the arrest. Most often, City Police (55.2%) stopped respondents, followed by State Highway Patrol (21.4%) and the County Sheriff (18.4%).

Figure 4. Law Enforcement Agency That Stopped Respondent



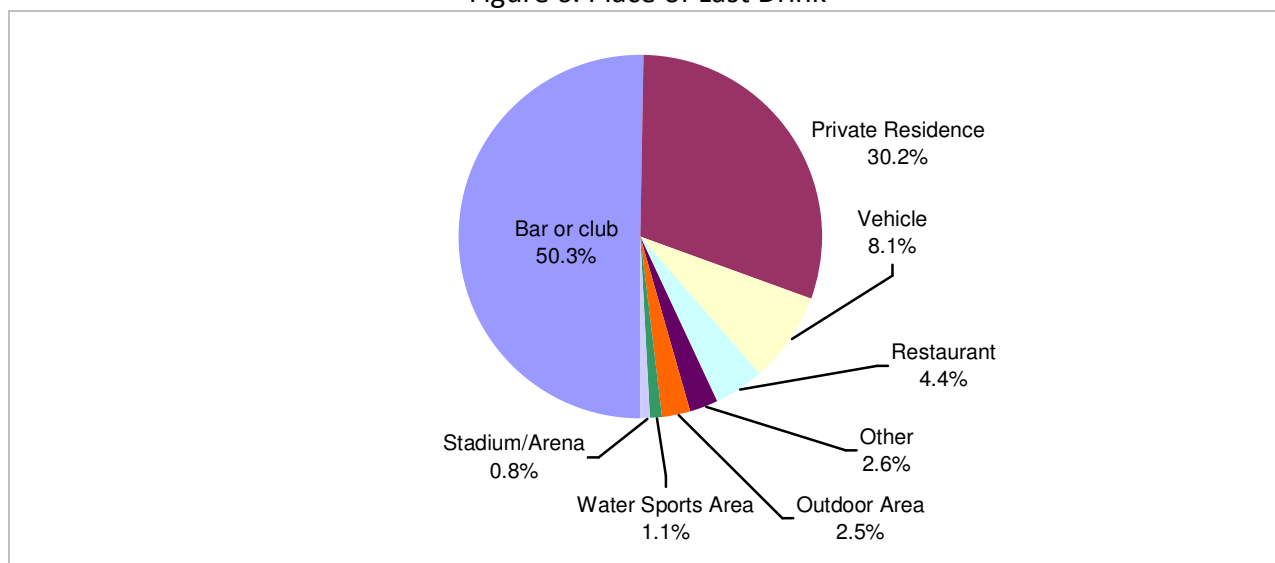
Typically, when stopped, respondents had no passenger in the vehicle at the time of the stop (61.0%) (Figure 5).

Figure 5. Numbers of Passengers When Respondent Stopped for DUI



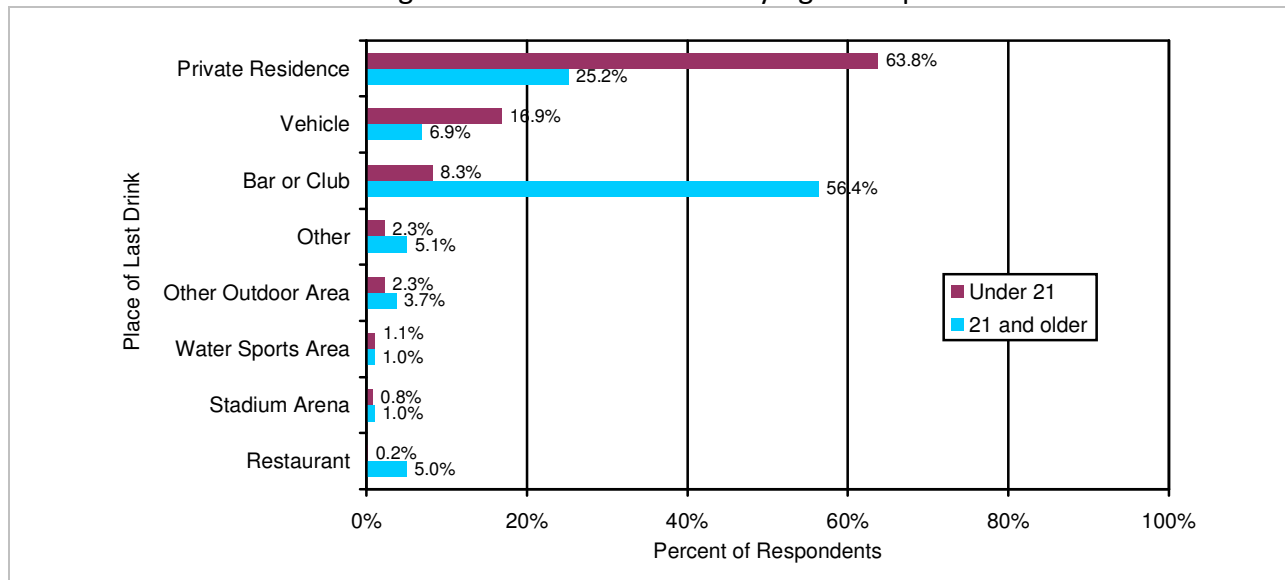
The most common location where respondents consumed their last drink (a.k.a., place of last drink, or POLD) is a bar or club, as reported by 50.3% of respondents (Figure 6). A private residence is the next most common response (30.2%) followed by a vehicle (8.1%), restaurant (4.4%), other area (2.6%), outdoor area (2.5%), water sports area (1.1%) and stadium/arena (0.8%).

Figure 6. Place of Last Drink



The place of last drink may be associated with a number of factors, one of the most common being age. Young persons under the legal drinking age are usually less likely to be consuming alcohol in a bar, club, or restaurant because of their age. Of the 446 respondents under the age of 21, their most common place of last drink is a private residence (63.8%) while those 21 and older are more likely to report a bar or club as their place of last drink (56.4%) (Figure 7). Only 8.3% of those under 21 indicate that they were at a bar or club for their last drink.

Figure 7. Place of Last Drink by Age Group



An examination of what time of day respondents were arrested for DUI suggests that the most common time of stop occurs between 9pm and 3am (Figure 8). The most common day of arrest is Saturday followed by Friday, Thursday and Sunday (Figure 9).

Figure 8. Hour When DUI Arrest Occurred

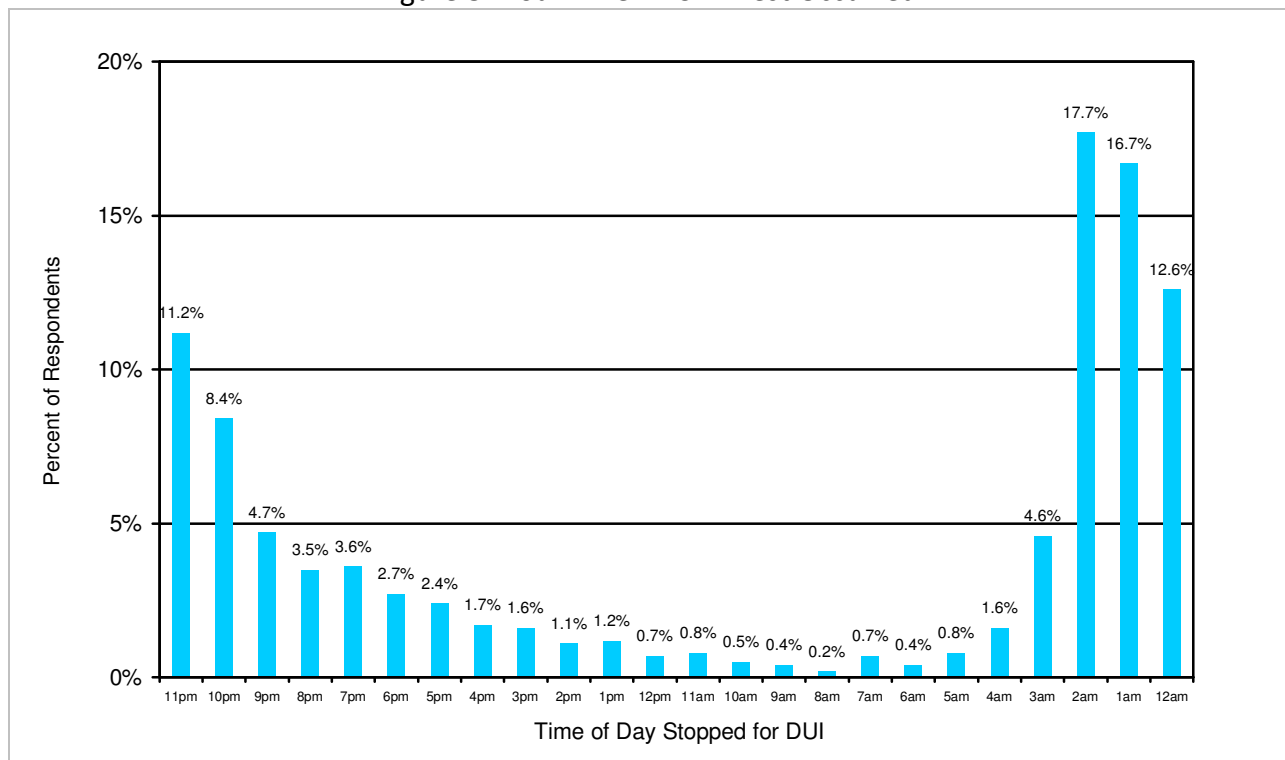
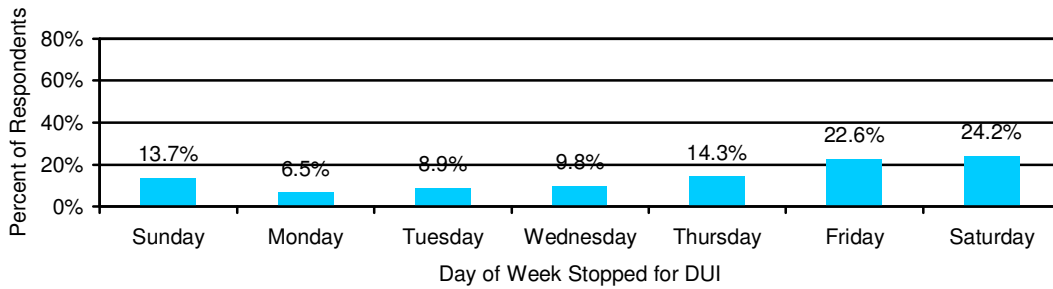
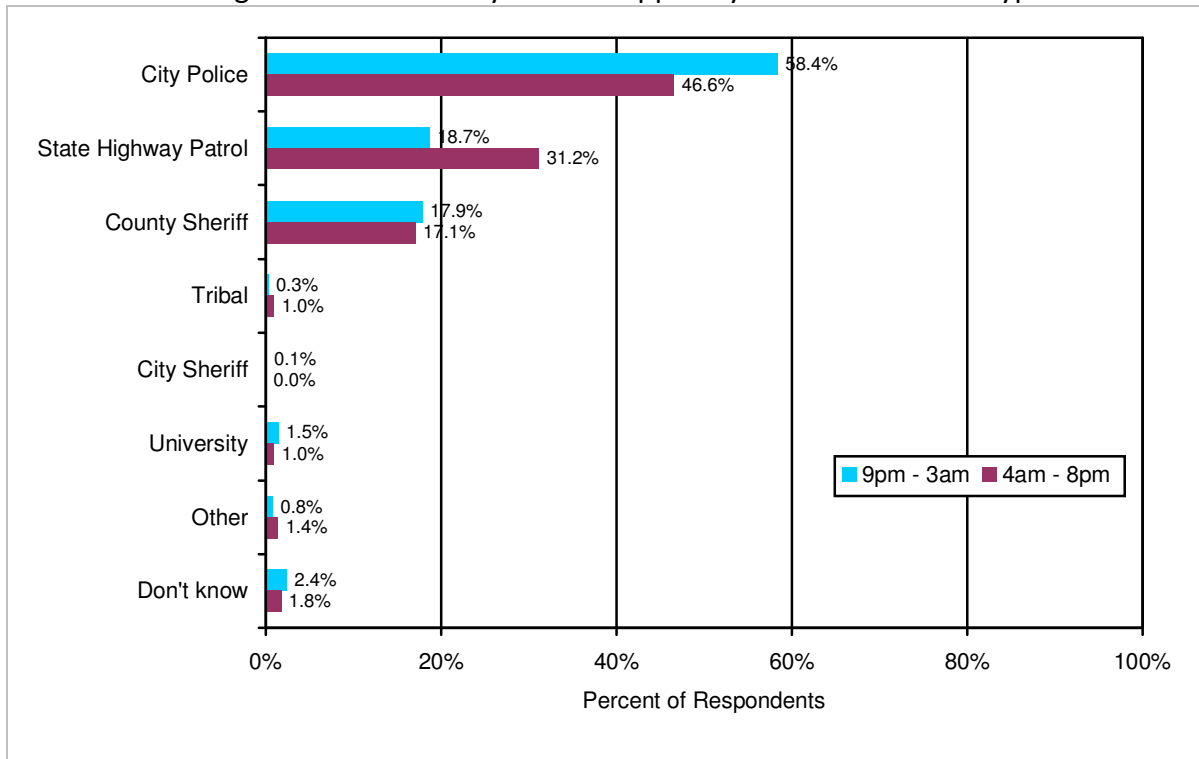


Figure 9. Day of Week When DUI Arrest Occurred



It appears that there is a relationship between the time of day and the type of law enforcement agency that stopped the respondent. City Police are more likely to be the agency that stopped the participant at any time, though between the hours of 9pm and 3am, City Police is far more likely to have made the stop (58.4%) compared to other law enforcement agencies. State Highway Patrol is the second most likely agency to make the stop between 4am and 8pm. There is no relationship between what type of law enforcement agency stopped the respondent and the day of the week the stop occurred.

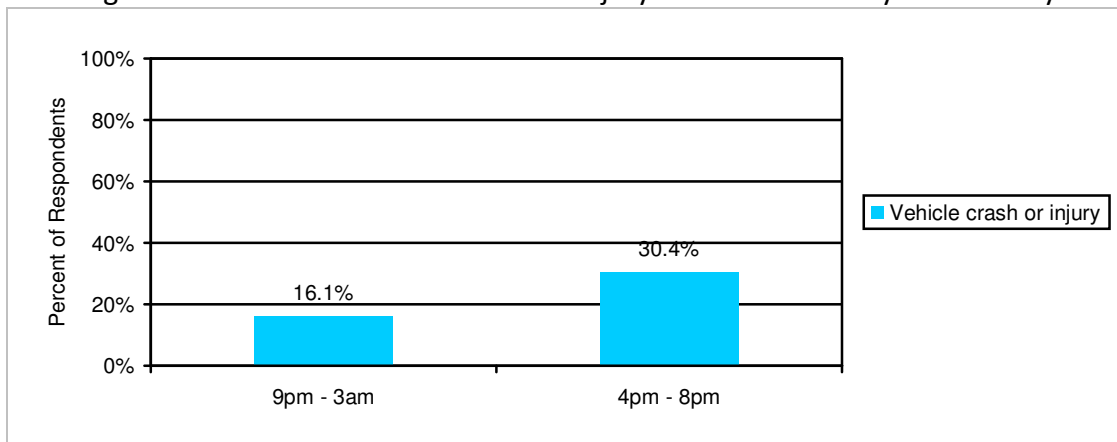
Figure 10. Time of Day When Stopped by Law Enforcement Type



DUI arrests can involve vehicle crashes and/or injuries to passengers and pedestrians. Almost 1 in 5 respondents report that a vehicle crash or injuries were involved in their DUI arrest (19.6%). No relationship between a vehicle crash or injuries and day of the week was found,

though a relationship was found based on the time of the arrest. Arrests that occur between 9pm and 3am are less likely to have a vehicle crash or injury involved compared to arrests between 4am and 8pm (Figure 11), even though the most common time of arrest is between 9pm and 3am. This may be due to different law enforcement efforts during 9pm and 3am compared to those during other times of day. For example, there may be fewer drivers on the road so that drunk drivers are more easily identified and pulled over prior to a crash or injury between 9pm and 3am.

Figure 11. Percent of Vehicle Crash or Injury Involved in DUI by Time of Day



Neither day of the week nor time of day was associated with the number of passengers in the car at the time of the stop.

In general, respondents are not traveling far from their place of last drink before being stopped. A majority drive 2 miles or less (Figure 12). When drinking their last drink at a bar or club, private residence, or stadium/arena, respondents typically drive 5 or fewer miles while respondents consuming their last drink at other locations tend to drive greater than 5 miles (Figure 13).

Figure 12. Percent of Respondents Who Drive 2 Miles or Less from Place of Last Drink

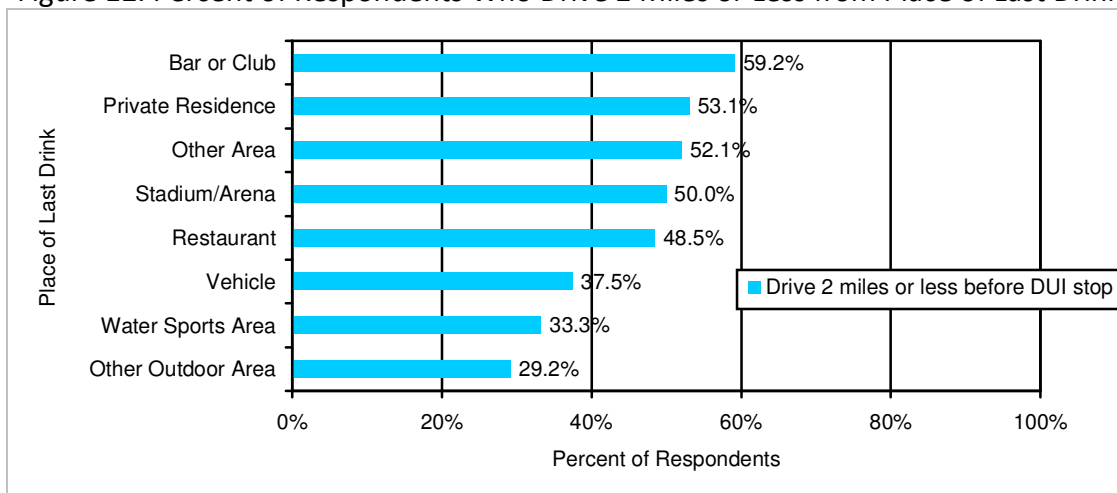
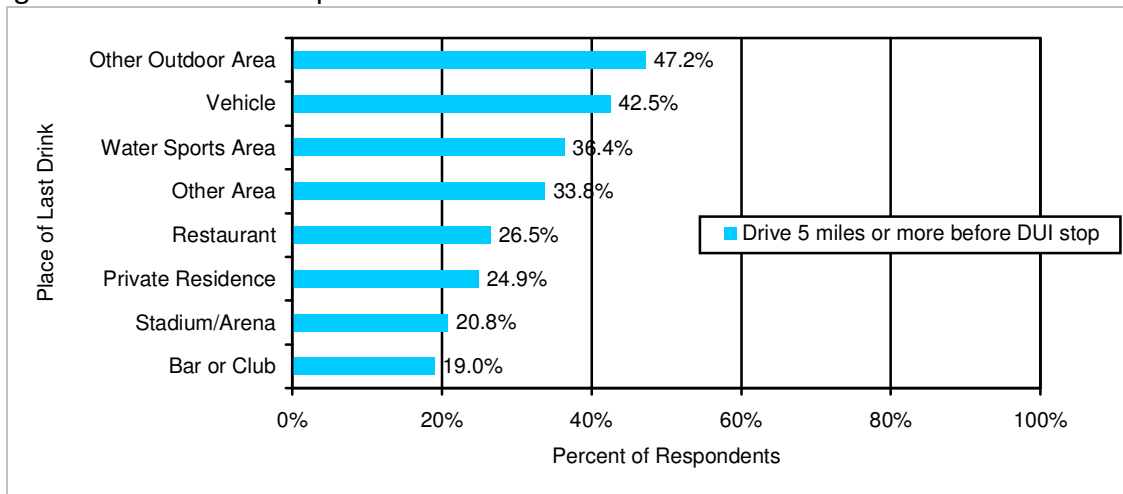


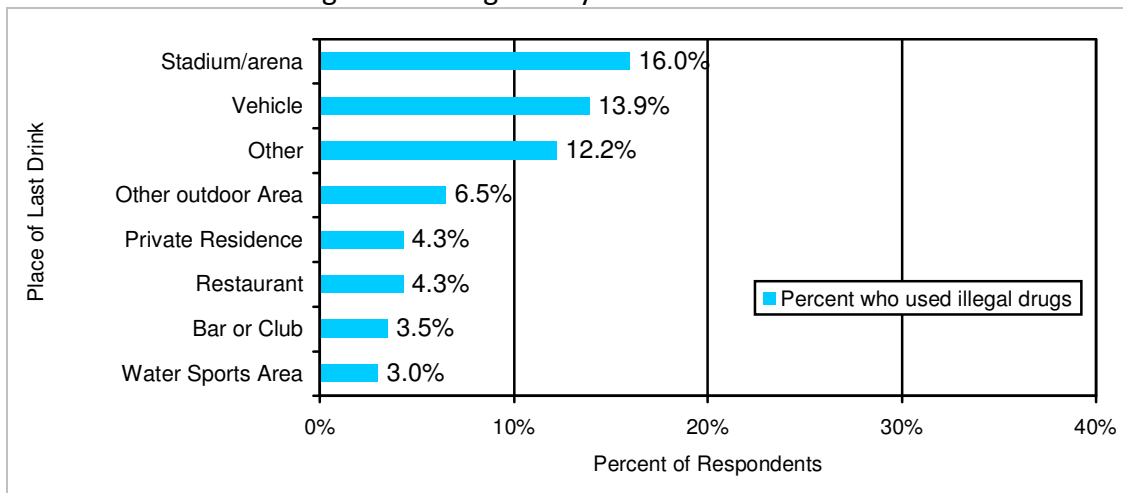
Figure 13. Percent of Respondents Who Drive More than 5 Miles from Place of Last Drink



Consumption Data on Day of Arrest

On average, respondents drink 3.5 hours (range 0 to 24) on the day of their arrest, and on that day, consume 7.3 drinks (range from 1 to 77). A minority of respondents report using illegal drugs on the day of their arrest (5.5%). Certain places where the last drink was consumed were associated with a greater proportion of drug use. Use of illegal drugs was most associated when the place of last drink was a stadium/area, vehicle, or other location (Figure 14). No relationship was found between drug use and day of the week that the respondent received a DUI.

Figure 14. Drug Use by Place of Last Drink



Observed Responsible Alcohol Beverage Service Practices

Respondents were asked about whether staff at different locations checked identification (ID) prior to a consumer purchasing alcohol. These items are not related to the respondents DUI

arrest, but were collected to better understand how alcohol retail outlets handle alcohol purchasing.

For the most part, at least two-thirds of respondents indicate that ID is checked prior to the purchase of alcohol at bar, club, or restaurants, convenience stores, grocery stores, and variety stores (Figure 15).

Figure 15. How Often Identification (ID) is Checked at Different Alcohol Retail Establishments

Check ID prior to purchase of alcohol at...	Always	Usually	Some-times	Rarely	Never
Bar, club or restaurant	32.4%	33.9%	17.5%	8.8%	7.4%
Convenience store	37.2%	37.4%	16.1%	5.4%	4.0%
Grocery store	39.2%	35.2%	15.6%	5.5%	4.6%
Variety store	38.7%	33.1%	14.7%	6.2%	7.3%

Additional questions were asked about how often alcohol beverage servers refuse to sell alcohol to intoxicated customers, and if servers called a cab or friend to drive intoxicated customers home. These two items can reflect more responsible beverage service practices. Over one in three respondents report that servers rarely or never refuse to sell alcohol to intoxicated customers (38.6%) and call a cab or friend to pick up intoxicated customers (36.1%) (Figure 16). Findings suggest that a majority of respondents see servers at bar, club, or restaurants exhibiting responsible serving practices at least some of the time, though a third see such practices rarely or never.

Figure 16. How Often Alcohol Beverage Servers at Bar, Club, or Restaurants are Using Responsible Beverage Service Practices

How often servers at bar, club or restaurants...	Always	Usually	Some-times	Rarely	Never
Refuse to sell alcohol to intoxicated customers	13.2%	19.9%	28.3%	23.0%	15.6%
Call a cab or friend to pick up intoxicated customers	10.8%	21.3%	31.8%	17.7%	18.4%

Drinking at Private Residences

Nearly 1,000 respondents indicated their POLD as a private residence (N=995). Of those, 50.5% indicate that there were more than 5 people at their POLD, 27.7% state that there is a person 21 and under there, and 5.1% of individuals report using drugs at the resident. These data may characterize drinking in private residences as “parties” as more than 5 persons were present. In sum, in over a quarter of residences where the respondent last drank alcohol before their DUI arrest, persons under 21 were present, and in a minority of cases, illegal drugs were being used.

Summary of Findings

Nearly 3,400 persons completed the DUI Offender Survey across classes for persons with a DUI across the state of Montana. In general, respondents are male and white. The average age of respondents is 32.7 years and 13.2% are under the legal drinking age. Based on these respondents, and further data collection and analyses to confirm trends in the data, it appears that there are common aspects of DUI arrests:

- A majority will not have a passenger in the vehicle when stopped for DUI.
- City Police are more likely to have made the DUI arrest.
- The most common place of last drink is a bar or club.
- Most DUI arrests occur between the hours of 9pm and 3am.
- More vehicle crashes or injuries as part of the DUI arrest occur between the hours of 4pm and 8am.
- Most DUI arrests occur 5 miles or less from the place of last drink.
- A minority of those with a DUI arrest admit to using illegal drugs on the day of the arrest.
- Underage persons are more likely to have consumed their last drink at a private residence prior to the DUI stop.

A majority of survey respondents suggest that identification of purchasers of alcohol are checked by alcohol retail outlets including bars, clubs, or restaurants, convenience stores, grocery stores, and variety stores. However, a third of respondents rarely or never see alcohol servers at bars, clubs, or restaurants refuse to sell alcohol to intoxicated customers, or call a cab or friend to pick up intoxicated customers.

These data may be used to start conversations about environmental policies that may aid in the reduction of drinking and driving. State authorities may consider engaging counties in helping to collect data more consistently so that data are more accurate for similar analyses in the future. Better data quality and a greater number of responses across all counties collected over time will make these data more reliable in order to create new policies and programs to address drinking and driving.